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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/657,694

09/08/2003

Jeng-Shyong Wu

71118

1259

23872

7590

01/23/2006

MCGLEW & TUTTLE, PC

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EXAMINER

TON, ANABEL

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	10/657,694	WU, JENG-SHYONG	
	Examiner	Art Unit	
	Anabel M. Ton	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 123-137 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 123-134 is/are rejected.
- 7) ☒ Claim(s) 135-137 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 123-134 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henninger Jr (2,002,775).

3. Henninger discloses the claimed invention except for the recitation of the lighting element being specifically an electroluminescent one and the ends of the conductors being arranged along an outside wall of the end base. Henninger discloses an end base having a first end and a second end (base defined above reference numeral 20 where conductors/prongs end), said end base also having an outside wall plurality of conductors passing through said end base from said first end to said second end (Figs 1,2), ends of said conductors extending out of said first and second ends of said end base (Figs 1,2) an enclosure connected to said first end of said end base and enclosing said luminary, said enclosure passing light from said luminary to an outside of said enclosure (10). With regards to the conductors extending out of said second end of said end base being arranged along said outside wall of said end base, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Henninger to arrange the conductors along the base as opposed to from the base as shown for the purpose of connecting the device to a non standard electrical

bulb socket (see Shieh for teaching). With regards to the lighting device being an electro-luminescent luminary, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use an EL device in as the lighting device of Henninger since Henninger discloses the light source used in the device as a lighting arrangement including two glowing electrodes arranged by coating wire mesh surrounding the electrodes in desired portions with insulating current or luminescent chemicals or both so that they may glow when a current is passed through them against a background(col. 2 lines 22-45) ; therefore to substitute the light source of Henninger with an EL device would have been obvious since the lighting device of Henninger appears to be a precursor to a modern EL device which would be advantageous over the lighting device of Henninger since EL devices are known for their low power consumption, compact design and low heat emission.

- Said enclosure and said end base seal said luminary inside said enclosure and said end base (the end base cooperates with the enclosure to seal the luminary inside the enclosure, particularly since the enclosure and end base are housing a gas).
- Light modifying articles arranged inside said enclosure (chemical coatings);
- Said luminary is spaced from said enclosure (figs 1-5);
- Said luminary has a plurality of electrodes connected to one of said conductors (40,42);
- Said luminary is shaped as a symbol. (Fig 5)
- Said luminary is shaped as indicia (fig 1).

Art Unit: 2875

- A fixing base arranged inside said enclosure and holding said plurality of conductors in a fixed relationship (mass located above end base).
- A lamp holder connected to said end base, said lamp holder having a lamp holder enclosure surrounding said enclosure, said lamp holder enclosure passing light.
- With regards to the lamp holder, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a lamp holder in the device of Henninger since the lighting device of Henninger would require a lamp holder to provide electrical current to the lighting device;
- With regards to the said lamp holder base having a buckle for connecting to said lamp holder enclosure, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Henninger to include a lamp holder with a buckle since such a modification is old and well known in the art for facilitating connection of the lamp holder to lamp cover. (See Chen et al).

Response to Arguments

4. Applicant's arguments with respect to claims 123-134 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

5. Claims 135-137 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: The prior art cited of record does not disclose the combination of the lighting device including the base formed in two hinged parts, the base having a circumferential groove.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M. Ton whose telephone number is (571) 272-2382. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anabel M Ton
Examiner
Art Unit 2875

AMT



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800